

DECLARATION AND POWER OF ATTORNEY

Atty. Dkt. No.: 7784-000186

DECLARATION

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

EIRP STATISTICAL CALCULATION METHOD

the specification of which (check one)

is attached hereto.
or
 was filed on _____ as Application Serial No. or PCT International Application No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)				
APPN. SERIAL NO.	COUNTRY	DATE FILED (MM/DD/YYYY)	PRIORITY CLAIM	
			Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

DECLARATION AND POWER OF ATTORNEY

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

PRIOR PROVISIONAL APPLICATION(S)	
APPN. SERIAL NO.	DATE FILED (MM/DD/YYYY)
60/271,797	February 27, 2001

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below:

PRIOR U.S. APPLICATION(S)		
APPN. SERIAL NO.	DATE FILED (MM/DD/YYYY)	STATUS - PATENTED, PENDING, ABANDONED

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY

I hereby appoint Robert L. Gullette, Reg. No. 26,899; John R. Rafter, Reg. No. 28,533; Henry G. Kohlmann, Reg. No. 26,672; Ann K. Galbraith, Reg. No. 33,530; John C. Hammar, Reg. No. 29,928; David J. Clement, Reg. No. 44,082 of the Boeing Company, 100 North Riverside Plaza, Chicago, Illinois 60606-1596, and Mark D. Elchuk, Reg. No. 33,686 and each principal, attorney of counsel, associate, and employee of Harness, Dickey & Pierce, P.L.C., my attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

DECLARATION AND POWER OF ATTORNEY

CORRESPONDENCE ADDRESS

I request the Patent and Trademark Office to direct all correspondence and telephone calls relative to this application to Harness, Dickey & Pierce, P.L.C., P. O. Box 828, Bloomfield Hills, Michigan 48303 (248) 641-1600.

Full name of sole or first inventor: Christopher J. Mc Lain

Inventor's signature: Christopher J. Mc Lain

Date: 10/29/01

Residence: 4102 Linden Ave., N. Apt. 201, Seattle, Washington 98104

Citizenship: United States of America

Mailing Address: 4102 Linden Ave., Apt. 201, Seattle, Washington 98104

Full name of second joint inventor, if any: John R. Palmer

Inventor's signature: John R. Palmer

Date: 11/28/2001

Residence: 3842 NE., 89th St., Seattle, Washington 98115

Citizenship: United States of America

Mailing Address: 3842 NE., 89th St., Seattle, Washington 98115

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 7784-000186

COVER SHEET FOR RECORDAL OF DOCUMENT (PATENT)

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. 3.31, enclosed herewith is a document for recordal in this case.
The following information is provided:

(1) Name Of Party Conveying The Interest:

Christopher J. McLain
John R. Palmer

(2) Name And Address Of Party Receiving The Interest:

The Boeing Company
100 North Riverside Plaza
Chicago, IL 60606-1596

(3) Description Of The Transaction To Be Recorded:

Assignment License
 Change of Name Other _____

(4) Application(s) and/or Patent(s) Against Which Enclosure Is To Be Recorded:

Serial Number _____, filed _____.
 Application being filed concurrently herewith.
 Patent Number _____, issued _____.

(5) Name And Address Of The Party To Whom Correspondence Concerning The Request To Record Should Be Mailed:

Mark D. Elchuk
Harness Dickey & Pierce P.L.C.
P.O. Box 828
Bloomfield Hills, MI 48303

(6) **Number Of Applications and/or Patents Identified In The Cover Sheet And Total Recordal Fee:**

Number of Applications/Patents:..... One

Total Recordal Fee Enclosed: \$40.00

(7) **Date(s) The Document Was Executed:** November 27 & 28, 2001

To the best of my knowledge and belief, the foregoing information is true and correct, and if the attached is not an original document, the undersigned verifies that it is a true copy of the original.

If, for some reason, Applicant(s) has/have not paid a sufficient fee, please charge our Deposit Account No. 08-0750 for any further fees which may be due. A duplicate copy of this document is enclosed.

Respectfully submitted,

Date: 12/4/01

By: 

Michael D. Zalobsky

Reg. No. 45,512
Attorney for Applicant(s)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 7784-000186

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Respectfully submitted,

Date: 12/4/01

By: 

Michael D. Zalobsky

Reg. No. 45,512

Attorney for Applicant(s)

ASSIGNMENT

Atty. Docket No. 7784-000186

WHEREAS, the undersigned, hereinafter referred to collectively as Assignor, has invented:

EIRP STATISTICAL CALCULATION METHOD

for which Assignor is about to make or has made United States or International application for patent

- (a) executed on even date preparatory to filing (each inventor should sign this Assignment on the same day as he/she signs the Declaration and Power of Attorney);
- (b) executed on; or
- (c) filed on _____, and assigned Serial No. _____ or PCT International Application No. _____, and

WHEREAS, The Boeing Company, a corporation of the State of Delaware, having its principal place of business at 100 North Riverside Plaza, Chicago, Illinois 60606-1596, hereinafter referred to as Assignee, is desirous of acquiring an interest therein:

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy whereof is hereby acknowledged, Assignor by these presents does sell, assign and transfer unto Assignee and its successors in interest, the full and exclusive right, title and interest in the United States of America and all foreign countries, including the right to claim priority under the laws of the United States, the Paris Convention, and any foreign countries, to the said invention as described in the aforesaid application, said application for patent and all Letters Patent therefor to be held and enjoyed by Assignee to the full end of the term for which said Letters Patent are granted and any extensions thereof as fully and entirely as the same would have been held by Assignor had this assignment and sale not been made;

Assignor hereby covenants and agrees to execute all instruments or documents required or requested for the making and prosecution of any applications of any type for patent in the United States and in all foreign countries including, but not limited to, any provisional, continuation, continuation-in-part, divisional, renewal or substitute thereof, and as to letter patent any reissue, re-examination, or extension thereof, and for litigation regarding, or for the purpose of protecting title and to the said invention, the United States application for patent, or Letters Patent therefor, for the benefit of Assignee without further or other compensation than that above set forth;

Assignor hereby covenants that no assignment, sale or agreement or encumbrance has been or will be entered into which would conflict with this Assignment; and

Assignor hereby requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States of America to Assignee, and requests that any official of any country or countries foreign to the United States, whose duty it is to issue or grant patents and applications as aforesaid, to issue said Letters Patent, Utility Model Registration or Inventor's Certificate to Assignee.

Assignor hereby authorizes and requests my attorney to insert here in parentheses (Application No. _____, filed _____) the filing date and application number of said application when known.

ASSIGNMENT

Chris McLain 11/27/01
Christopher J. McLain Date

John R. Palmer 11/28/00
John R. Palmer Date